

U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:18-cv-25360-FAM

Miami Waterkeeper, Inc. v. U.S. Army Corps of Engineers
Assigned to: Judge Federico A. Moreno
Cause: 05:0552 Freedom of Information Act

Date Filed: 12/21/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Miami Waterkeeper, Inc.

represented by **Bonnie Ann Malloy**
Earthjustice
111 S. MLK Jr BLVD
Tallahassee, FL 32301
850-681-0031
Fax: 850-681-0031
Email: bmalloy@earthjustice.org (*Inactive*)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Catherine Millas Kaiman
Earthjustice
4500 Biscayne Blvd
Suite 201
Miami, FL 33137
850-681-0031
Fax: 850-681-0020
Email: ckaiman@earthjustice.org
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. Army Corps of Engineers

represented by **Carlos Javier Raurell**
United States Attorney's Office
99 NE 4 Street
Miami, FL 33132
305-961-9243
Fax: 305-530-7139
Email: carlos.raurell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/21/2018	1	COMPLAINT against Army Corps Of Engineers, United States. Filing fees \$ 400.00. Pay.gov Agency Tracking ID 113C-11260545, payment transferred from : 18-cv-25355, Waterkeeper v. Corps of Engineers, filed by Miami Waterkeeper. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet, # <u>2</u> Summon(s) Summons, # <u>3</u> Exhibit Disclosure Statement, # <u>4</u> Exhibit Ex A, # <u>5</u> Exhibit Ex B, # <u>6</u> Exhibit Ex C, # <u>7</u> Exhibit Ex D, # <u>8</u> Exhibit Ex E, # <u>9</u> Exhibit Ex F, # <u>10</u> Exhibit Ex G, # <u>11</u> Exhibit Ex H)(Kaiman, Catherine) Modified text on 1/15/2019 (jua). (Entered: 12/21/2018)
12/21/2018	2	Clerks Notice of Judge Assignment to Judge Federico A. Moreno. Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Lauren F. Louis is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent. (pcs) (Entered: 12/21/2018)

12/21/2018	<u>3</u>	Summons Issued as to U.S. Army Corps of Engineers (pcs) (Entered: 12/21/2018)
12/21/2018	<u>4</u>	Clerks Notice to Filer re: Electronic Case. Party(ies) Improperly Formatted. The Filer failed to enter the party name(s) in accordance with the CM/ECF Format for Adding Parties for Attorneys Guide. The correction was made. It is not necessary to re-file the document. (pcs) (Entered: 12/21/2018)
12/21/2018	<u>5</u>	Clerks Notice to Filer re: Electronic Case. Incorrect case opening information. The Filer selected the incorrect <i>Jurisdiction</i> when filing. The correction was made. It is not necessary to re-file this document. (pcs) (Entered: 12/21/2018)
01/14/2019	<u>6</u>	Unopposed MOTION to Stay <i>Action Pending Lapse in Appropriations</i> by U.S. Army Corps of Engineers. Attorney Carlos Javier Raurell added to party U.S. Army Corps of Engineers(pty:dft). Responses due by 1/28/2019 (Raurell, Carlos) (Entered: 01/14/2019)
02/06/2019	<u>7</u>	ORDER denying <u>6</u> Defendants' Motion to Stay Action in Light of Lapse of Appropriations. Signed by Judge Federico A. Moreno on 2/5/2019. <i>See attached document for full details.</i> (mmd) (Entered: 02/06/2019)
02/07/2019	<u>8</u>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <u>1</u> Complaint,, by U.S. Army Corps of Engineers. (Raurell, Carlos) (Entered: 02/07/2019)
02/11/2019	<u>9</u>	ORDER granting <u>8</u> Defendants' Unopposed Motion for Extension of Time to File Response to Complaint. Defendant shall respond to the Plaintiff's Complaint by March 13, 2019. Signed by Judge Federico A. Moreno on 2/11/2019. <i>See attached document for full details.</i> (mmd) (Entered: 02/11/2019)
02/12/2019		Set/Reset Answer Due Deadline as per DE <u>9</u> : U.S. Army Corps of Engineers response due 3/13/2019. (lk) (Entered: 02/12/2019)
02/25/2019	<u>10</u>	SUMMONS (Affidavit) Returned Executed on <u>1</u> Complaint,, with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Miami Waterkeeper, Inc.. U.S. Army Corps of Engineers served on 1/2/2019, answer due 3/13/2019. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Kaiman, Catherine) (Entered: 02/25/2019)
03/13/2019	<u>11</u>	Defendant's MOTION for Extension of Time to File Response/Reply/Answer as to <u>1</u> Complaint,, by U.S. Army Corps of Engineers. (Raurell, Carlos) (Entered: 03/13/2019)
03/15/2019	<u>12</u>	PAPERLESS ORDER granting <u>11</u> Defendants' Motion for One-Week Extension of Time to File Response to the Complaint. Defendant may file a response to the complaint by no later than March 20, 2019. Signed by Judge Federico A. Moreno on 3/15/2019. (mmd) (Entered: 03/15/2019)
03/18/2019		Set/Reset Answer Due Deadline as per DE <u>12</u> : U.S. Army Corps of Engineers response due 3/20/2019. (lk) (Entered: 03/18/2019)
03/20/2019	<u>13</u>	Defendant's MOTION to Dismiss for Lack of Jurisdiction <u>1</u> Complaint,, AS <i>MOOT</i> by U.S. Army Corps of Engineers. Responses due by 4/3/2019 (Attachments: # <u>1</u> Exhibit Declaration of Lacy S. Pfaff, # <u>2</u> Appendix Ex A to Pfaff Decl – Plaintiff's FOIA Request, # <u>3</u> Appendix Ex B to Pfaff Decl – Army Corps' Response to FOIA Request)(Raurell, Carlos) (Entered: 03/20/2019)
03/28/2019	<u>14</u>	MOTION for Extension of Time to File Response/Reply/Answer by Miami Waterkeeper, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Kaiman, Catherine) (Entered: 03/28/2019)
03/28/2019	<u>15</u>	RESPONSE to Motion re <u>14</u> MOTION for Extension of Time to File Response/Reply/Answer filed by U.S. Army Corps of Engineers. Replies due by 4/4/2019. (Raurell, Carlos) (Entered: 03/28/2019)
04/02/2019	<u>16</u>	PAPERLESS ORDER granting <u>14</u> Plaintiff's Unopposed Motion for Extension of Time to File Response to Defendant's Motion to Dismiss. Plaintiff may file a response by no later than May 3, 2019. Signed by Judge Federico A. Moreno on 4/2/2019. (mmd) (Entered: 04/02/2019)
04/02/2019		Set/Reset Deadlines/Hearings as per DE <u>16</u> to <u>13</u> Defendant's MOTION to Dismiss for Lack of Jurisdiction <u>1</u> Complaint,, AS <i>MOOT</i> . Responses due by 5/3/2019 (lk) (Entered: 04/03/2019)

04/29/2019	<u>17</u>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer by Miami Waterkeeper, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Kaiman, Catherine) (Entered: 04/29/2019)
04/30/2019	<u>18</u>	PAPERLESS ORDER granting <u>17</u> Plaintiff's Second Unopposed Motion for Extension of Time to Respond to Defendant's Motion to Dismiss. Plaintiff may file a response by no later than May 17, 2019. Signed by Judge Federico A. Moreno on 4/30/2019. (mmd) (Entered: 04/30/2019)
04/30/2019		Set/Reset Deadlines/Hearings as per DE 18 re <u>13</u> Defendant's MOTION to Dismiss for Lack of Jurisdiction <u>1</u> Complaint,, AS MOOT. Responses due by 5/17/2019 (lk) (Entered: 05/01/2019)
05/17/2019	<u>19</u>	First AMENDED COMPLAINT against U.S. Army Corps of Engineers, filed by Miami Waterkeeper, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K)(Kaiman, Catherine) (Entered: 05/17/2019)
05/28/2019	<u>20</u>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <u>19</u> Amended Complaint, by U.S. Army Corps of Engineers. (Raurell, Carlos) (Entered: 05/28/2019)
05/30/2019	<u>21</u>	ORDER denying as moot <u>13</u> Motion to Dismiss for Lack of Jurisdiction. Signed by Judge Federico A. Moreno on 5/28/2019. <i>See attached document for full details.</i> (mmd) (Entered: 05/30/2019)
05/30/2019	<u>22</u>	PAPERLESS ORDER granting <u>20</u> Defendants' Motion for Extension of Time to File Response to Amended Complaint. Defendants may file a response by no later than June 14, 2019. Signed by Judge Federico A. Moreno on 5/30/2019. (mmd) (Entered: 05/30/2019)
06/12/2019	<u>23</u>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <u>19</u> Amended Complaint, by U.S. Army Corps of Engineers. (Raurell, Carlos) (Entered: 06/12/2019)
06/14/2019	<u>24</u>	PAPERLESS ORDER granting <u>23</u> Defendants' Second Motion for Extension of Time to File Response to Amended Complaint. The response to the Amended Complaint is due by no later than June 28, 2019. Signed by Judge Federico A. Moreno on 6/14/2019. (mmd) (Entered: 06/14/2019)
06/14/2019		Set/Reset Answer Due Deadline as per DE 24 : U.S. Army Corps of Engineers response due 6/28/2019. (lk) (Entered: 06/17/2019)
06/25/2019	<u>25</u>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <u>19</u> Amended Complaint, by U.S. Army Corps of Engineers. (Raurell, Carlos) (Entered: 06/25/2019)
06/27/2019	<u>26</u>	PAPERLESS ORDER granting <u>25</u> Motion for Extension of Time to File Response to the Amended Complaint. The Defendant may file a response by no later than July 15, 2019. Signed by Judge Federico A. Moreno on 6/27/2019. <i>See attached document for full details.</i> (mmd) (Entered: 06/27/2019)
06/27/2019		Set/Reset Answer Due Deadline as per DE 26 : U.S. Army Corps of Engineers response due 7/15/2019. (lk) (Entered: 06/28/2019)
07/15/2019	<u>27</u>	MOTION to Dismiss for Lack of Jurisdiction <u>19</u> Amended Complaint, by U.S. Army Corps of Engineers. Responses due by 7/29/2019 (Raurell, Carlos) (Entered: 07/15/2019)
07/25/2019	<u>28</u>	RESPONSE to Motion re <u>27</u> MOTION to Dismiss for Lack of Jurisdiction <u>19</u> Amended Complaint, filed by Miami Waterkeeper, Inc.. Replies due by 8/1/2019. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Kaiman, Catherine) (Entered: 07/25/2019)